

No. 7/44-4Lab-72/30452.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Delton Cable Industries, Private Ltd., Mathura Road, Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 41 of 1972

between

SHRIMATI NIRMAL KUMARI AND THE MANAGEMENT OF M/S DELTON CABLE INDUSTRIES
PRIVATE LTD., MATHURA ROAD, FARIDABAD

Present :

Shrimati Krishna Gupta for the applicant.

Shri S. S. Saini for the management.

AWARD

The Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 was pleased to refer the following dispute to this Court for adjudication,—vide Haryana Government Gazette notification No. ID/FD/186-A-71/2083, dated 27th January, 1972.

“Whether the termination of services of Shrimati Nirmal Kumari was justified and in order? If not, to what relief is she entitled?”

It is not necessary to decide the case on merits. The worker Nirmal Kumari has received a sum of Rs 383.95 P. in full and final settlement of all her claims including her claim for reinstatement or re-employment. Shrimati Krishna Gupta has appeared on behalf of the worker. She has letter of authority from Shrimati Nirmal Kumari and she accepts the correctness of the compromise which is marked Exhibit W/1, I, therefore, hold that the worker is not entitled to any further relief. No order as to costs.

Dated : The 10th July, 1972.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1252, dated 11th July, 1972

Forwarded (4 copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 7746-4Lab-72/30452.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workman and the management of M/s Dujodwala Industries, Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 144 of 1971

between

SHRI KANWAL NAIN C/O SHRI BHIM SINGH YADAV, 1-A/90, N.I.T., FARIDABAD AND THE
MANAGEMENT OF M/S DUJODWALA INDUSTRIES, FARIDABAD

Present :

Shri Kanwal Nain applicant in person.

Shri R. C. Sharma for the management.

AWARD

The Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section (10) of the Industrial Disputes Act, 1947 was pleased to refer to the following dispute to this Court for adjudication,—vide Haryana Government Gazette notification No. ID/FD/426-B/26066-70, dated 31st August, 1970 :—

“Whether the termination of services of Shri Kanwal Nain was justified and in order? If not, to what relief is he entitled?”

It is not necessary to decide the case on merits because a compromise has been arrived at between the parties. The workman has given up his claim for reinstatement and the management have agreed to pay him a sum of Rs 225 as *ex-gratia* in addition to any amount which may be due to him on account of earned wages, bonus or wages in lieu of unavailed leave. In view of the compromise arrived at between the parties, I hold that the workman is not entitled to any further relief. I give my award as per terms of compromise. No order as to costs.

Dated : The 10th July, 1972.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1256, dated Rohtak, the 11th July, 1972.

Forwarded (4 copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 7743-4Lab-72/30454.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workman and the management of M/s Hissar District Transport Co. (Group A), Hissar.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 37 of 1971

between

SHRI MANGAL SINGH AND THE MANAGEMENT OF M/S HISSAR DISTRICT TRANSPORT CO. (GROUP A), HISSAR

Present:

Nemo for the applicant.
Nemo for the management.

AWARD

The Governor of Haryana in exercise of powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 was pleased to refer the following dispute to this court for adjudication.—vide Haryana Government Gazette Notification No. ID/HSR/16531-35, dated 31st June, 1971.

“Whether the termination of services of Shri Mangal Singh was justified and in order? If not, to what relief is he entitled?”

On receipt of the reference usual notices were issued to the parties. As many as four attempts were made to effect service on the management by sending repeated notices under Registered cover but the service could not be effected. Ultimately the notice issued for 29th November, 1971 was received back with an endorsement that the respondent had refused to accept the service. The workman was, therefore, directed to produce *ex parte* evidence in support of his case. On the adjourned date the representative of the workman made a statement that he had no instruction to proceed further with the case and requested that notice be issued to the workman directly. Notice under registered cover was issued to the workman but he too has refused to accept service. Since the workman had led no evidence to prove that the termination of his service was not justified, I hold that he is not entitled to any relief. I give my award accordingly. No order as to costs.

Dated the 10th July, 1972

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1254, dated Rohtak, the 11th July, 1972.

Forwarded (4 copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 7745-4Lab-72/30456.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Orient Steel and Wires (P) Ltd., Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 122 of 1971

between

SHRIMATI RADHA RANI AND THE MANAGEMENT OF M/S ORIENT STEEL AND WIRES (P) LTD., FARIDABAD

Presents:

Nemo for the applicant.

Shri B. R. Grover, for the management.

AWARD

The Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 was pleased to refer the following dispute to this court for adjudication,—vide Haryana Government Gazette Notification No. ID/FD/296-A-71/23126-30, dated 27th July, 1971 :—

“Whether the termination of services of Shrimati Radha Rani was justified and in order ? If not ; to what relief she is entitled ?”

On receipt of the reference usual notices were issued to the parties, in response to which the management filed their written statement in which the stand taken is that they never terminated the services of the applicant Shrimati Radha Rani and in fact she left the service of the respondent Company of her own accord and she has also received her dues in full and final settlement. The following issues were framed :—

- (1) Whether the claimant Shrimati Radha Rani left the services of the respondent company of her own accord and collected her dues in full and final settlement ?
- (2) If the above issue is not proved, whether the termination of the services of Shrimati Radha Rani was justified and in order ? If not, to what relief is she entitled ?

Issue No. 1.—Shri Shivratn Singh, Time Keeper of the respondent Company has appeared as a witness on behalf of the management and has stated that the applicant performed her duty only up to 20th August, 1970 and then absented herself without any intimation to the management. He says that the applicant again came on 27th August, 1970 and verbally stated that she does not wish to continue in service and requested that her dues may be paid to her and accordingly her dues amounting to Rs 39.26 were paid to her on 7th September, 1970.

The evidence of the management was recorded on 23rd February, 1972 and at the request of the representative of the applicant an adjournment was given for her evidence. Next date fixed for 23rd May, 1972, but the case could not be taken up on the date fixed because I was on leave. Parties were informed that the case would be taken up on 30th June, 1972. Service of the representative of the applicant has been affected but no body appeared on her behalf.

Since the evidence of the management stand un-rabitted, I find this issue in favour of the management.

In view of my findings above issue No. 2 does not arise and the termination of service of the applicant is held to be justified. I give my award accordingly.

No order as to costs.

Dated the 10th July, 1972.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1253, dated Rohtak, the 11th July, 1972

Forwarded (4 copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

B. L. AHUJA,
Commissioner for Labour and Employment
and Secretary to Government, Haryana.